

**Minnesota Board of Nursing
Nursing Practice Committee**

Proposed Changes to the Minnesota Nurse Practice Act

The Minnesota Nurse Practice Act is the law that includes definitions of professional and practical nursing. These definitions provide the legal scope of practice for RNs and LPNs in Minnesota. These definitions are old having last been significantly revised 40 years ago. Nursing practice has changed significantly, and terms in the definitions lack clarity and common understanding. The definitions have been perceived to be a barrier to the evolution of nursing practice. In 2010, the Institute of Medicine issued a report on the future of nursing. Among the key messages of the report was the recommendation that nurses should practice to the full extent of their education and training.

The Board of Nursing took note of the IOM recommendations and in 2011 directed the Nursing Practice Committee to “review the Nurse Practice Act in relation to the Institute of Medicine Report and identify statutory barriers to practice for advanced practice, licensed practical and registered nurses and make recommendations for legislative change.” The Board has worked with an Advanced Practice Nursing Coalition to develop proposed language for APRN practice. Additionally, the Board’s Nursing Practice Committee has drafted proposed statutory changes for RN and LPN practice. The Committee prepared this document addressing the proposed changes with three columns:

- The current Minnesota definitions of professional and practical nursing
- Proposed new language for the definitions of professional and practical nursing
- Notes regarding the proposed new language

To ensure the proposed changes address the issues of removing barriers, allowing for evolution of practice and providing greater clarity, the Committee is soliciting feedback. While the Nursing Practice Committee interacted with representatives of the nursing community during development of the proposed changes, the Committee is interested wider involvement and values input from Minnesota nurses and other stakeholders. The Committee will be conducting Listening Sessions throughout the state and soliciting written comments. Additional information about the dates and locations of the Listening Sessions and a comment form can be found on the Board’s website: www.nursingboard.state.mn.us

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Minnesota Statute section 148.171	New Language	Notes
	<p>Article I. Scope of Practice</p> <p>Section 1. Practice of Nursing: Nursing is a scientific process founded on a professional body of knowledge; it is a learned profession based on an understanding of the human condition across the lifespan and the relationship of a patient with others and within the environment; and it is an art dedicated to caring for others. The practice of nursing means assisting patients to attain or maintain optimal health, implementing a strategy of care to accomplish defined goals within the context of a patient centered plan of care and evaluating responses to nursing care and treatment. Nursing is a dynamic discipline that increasingly involves more sophisticated knowledge, technologies, and patient care activities.</p>	<p><i>Minnesota NPA does not have a definition of nursing. An overarching definition provides context and distinguishes nursing from other professions.</i></p>
<p>Subd. 15. Practice of professional nursing.</p> <p>The "practice of professional nursing" means the performance for compensation or personal profit of the professional interpersonal service of:</p> <p>(1) providing a nursing assessment of the actual or potential health needs of</p>	<p>Section 2. Registered Nurse (RN).</p> <p>Practice as an RN means the scope of nursing practice, with or without compensation or personal profit, that incorporates caring for all patients in all settings, is guided by the scope of practice authorized in this section, through nursing standards recognized by the board and</p>	<p><i>The intent of the language is to differentiate RN and LPN practice.</i></p> <p><i>Nursing literature commonly refers to assessment as performed by an RN as "comprehensive", i.e. the RN is responsible for the full or extensive assessment, including biopsychosocial dimensions of the patient.</i></p>

<p>individuals, families, or communities;</p> <p>(2) providing nursing care supportive to or restorative of life by functions such as skilled ministrations of nursing care, supervising and teaching nursing personnel, health teaching and counseling, case finding, and referral to other health resources; and</p> <p>(3) evaluating these actions.</p> <p>The practice of professional nursing includes both independent nursing functions and delegated medical functions, which may be performed in collaboration with other health team members, or may be delegated by the professional nurse to other nursing personnel.</p> <p>Independent nursing function may also be performed autonomously.</p> <p>The practice of professional nursing requires that level of special education, knowledge, and skill ordinarily expected of an individual who has completed an approved professional nursing education program as described in section <u>148.211, subdivision 1</u>.</p>	<p>includes, but is not limited to:</p> <ol style="list-style-type: none"> Providing comprehensive and focused nursing assessment of the health status of patients. Collaborating with health care team to develop an integrated plan of care. Developing a strategy of nursing care to be integrated with the plan of care through the execution of independent nursing strategies and of regimens requested, ordered or prescribed by authorized health care providers. Delegating or assigning interventions to implement the plan of care. Providing for the maintenance of safe and effective nursing care rendered directly or indirectly. Promoting a safe and therapeutic environment. Advocating the best interest of patients. Evaluating responses to interventions and the effectiveness of the plan of care. Communicating and collaborating with other health care providers in the management of health care and the implementation of the total health care regimen within and across care settings. Managing, supervising, and evaluating the practice of nursing. Teaching the theory and practice of nursing. Accountability for complying with this act and the quality of care rendered; recognizing limits of knowledge and experience; planning for the management of situations beyond the nurse's competency; and evidencing 	<p>The RN performs "focused" assessments based on a specific set of problems or as the situation warrants.</p> <p><i>Health care delivery requires a team approach, of which nursing is a critical component as reflected by a strategy of nursing care integrated into the health care plan. The strategy of nursing care includes nursing diagnosis, goals to meet identified health needs, nursing interventions, and implementation of independent and delegated cares.</i></p> <p><i>Both delegating and assigning are included as components of RN practice. Delegation means transfer of authority. Assignment is the process used when the acceptor already has the authority so delegation is not needed.</i></p> <p><i>Including "communicating and collaborating" within the definition of scope of RN practice establishes an expectation or standard of practice that the RN will perform these activities.</i></p> <p><i>The language provides for the evolution of nursing practice by way of commonly understood professional standards. This allows for new technology and techniques and expected competence development.</i></p>
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	that level of special education, knowledge, and skill ordinarily expected of an individual who has completed an approved professional nursing education program as described in 148.211, subdivision 1.	<i>The RN is accountable for complying with the Nurse Practice Act, ensuring quality of care provided, recognizing the limits of knowledge and experience, and planning for management of situations beyond the registered nurse's expertise.</i>
<p>Subd. 14. Practice of practical nursing.</p> <p>The "practice of practical nursing" means the performance for compensation or personal profit of any of those services in observing and caring for the ill, injured, or infirm, in applying counsel and procedure to safeguard life and health, in administering medication and treatment prescribed by a licensed health professional, which are commonly performed by licensed practical nurses and which require specialized knowledge and skill such as are taught or acquired in an approved school of practical nursing, but which do not require the specialized education, knowledge, and skill of a registered nurse.</p>	<p>Section 3. Licensed Practical Nurse (LPN).</p> <p>Practice as an LPN means the scope of nursing practice, with or without compensation or personal profit, that incorporates caring for patients in all settings under the supervision of an RN, advanced practice registered nurse (APRN), licensed physician or other health care provider authorized by the state; is guided by the scope of nursing practice authorized in this section, through nursing standards recognized by the board and includes, but is not limited to:</p> <ol style="list-style-type: none"> Collecting relevant data and conducting focused nursing assessments of the health status of individuals. Planning nursing care episodes for individuals with stable conditions. Participating in the development and modification of the comprehensive plan of care for all types of patients. Implementing appropriate aspects of the strategy of care within a plan of care. Assigning nursing activities to other LPNs. Delegating nursing activities for patients with stable conditions to 	<p><i>The intent of the language is to differentiate RN and LPN practice.</i></p> <p><i>Current practical nurse education and practice standards support this scope of practice.</i></p> <p><i>“Focused” assessment of the LPN differs from the “comprehensive” assessment of the RN in that it is limited to the situation at hand in relation to expectations, changes or matches to already identified findings.</i></p> <p><i>Planning is limited to providing input to the plan of care and for the moment in time as compared to the responsibility of the RN to develop the comprehensive plan of care.</i></p>

	<p>unlicensed assistive personnel.</p> <p>g. Communicating and collaborating with other health care professionals.</p> <p>h. Providing input into the development of policies and procedures.</p> <p>i. Accountability for complying with this act and the quality of care rendered; recognizing limits of knowledge and experience; planning for the management of situations beyond the nurse's competency; and evidencing that level of special education, knowledge, and skill ordinarily expected of an individual who has completed an approved practical nursing education program described in 148.211, subd. 1.</p>	<p><i>The language provides for the evolution of nursing practice by way of commonly understood professional standards. This allows for new technology and techniques and expected competence development.</i></p> <p><i>The LPN is accountable for complying with the Nurse Practice Act, ensuring quality of care provided, recognizing the limits of knowledge and experience, and planning for management of situations beyond the practical nurse's expertise.</i></p>
	<p>Article II. Definitions</p> <p>Comprehensive nursing assessment by an RN: A process of extensive data collection, initial and ongoing, used for individuals, families, groups and communities to:</p> <ol style="list-style-type: none"> Identify actual or potential health needs of the patient to determine interventions, collaboration, and surveillance needed; Anticipate, recognize and address changes in patient conditions, as well as emergent changes in a patient's health status; Synthesize the biological, psychological, spiritual and social aspects of the patient's condition; Evaluate the impact of nursing care and use this broad and complete 	

	<p>analysis to make independent decisions and nursing diagnoses; plan nursing interventions; evaluate need for different interventions; and</p> <p>e. Determine the need to communicate and consult with other health team members.</p> <p>Focused nursing assessment by an LPN: A process of relevant data collection, initial and ongoing, contributing to the comprehensive assessment, used for individuals to:</p> <ol style="list-style-type: none"> Appraise the patient's status and current situation; Monitor and recognize changes in patient condition; Match findings to already identified health needs and interventions in the nursing plan of care, protocols and/or policies and procedures; Contribute to the nursing plan of care and make nursing judgments to determine which nursing intervention(s) to implement; monitor the patient response to interventions; and Decide when, to whom, and where to report information. <p>Independent nursing strategies: Autonomous nursing activities based on nursing assessment; within the nurse's scope of practice and not subject to control by others.</p>	
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